

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
UNITED STATES OF AMERICA,

-against-

JAIME MENESES-MENA & ALBERTO ORTIZ,

Defendants.

-----x  
DEFENDANT'S AFFIDAVIT  
07 Cr 1155 (RPP)

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NEW YORK )

ALBERTO ORTIZ, being duly sworn, hereby deposes and says:

1. I am a defendant in the above-captioned matter.
2. I was arrested at my home in Queens, New York early in the morning of June 9, 2008
3. After I was arrested, I was not immediately advised of my rights.
4. When the agents were arresting me, I asked why I was being arrested and was advised that I was being arrested because I was part of a drug investigation.
5. One of the arresting agents, a Hispanic agent, then told me that my life had just totally changed and that I must start cooperating with the DEA agents and answering their questions immediately.
6. He emphasized that I must start talking to him and the other agents immediately.
7. Another agent (an Asian agent) then asked me if I remembered him from the year before and also asked "do you remember that I was the one who asked you if you were a faggot?"
8. I responded that I was a family man and worked hard to support my family and that I was not involved in a drug conspiracy.
9. I made this statement in response to the statements and questions of both agents.

10. I was then taken outside to a police car and at that time, one of the agents read me my rights. I advised the agents that I did not wish to waive my rights and did not wish to speak further with them.

Alberto Ortiz  
ALBERTO ORTIZ

Sworn to before me  
this 2nd day of September, 2008

Joyce London  
NOTARY PUBLIC

JOYCE C. LONDON  
Notary Public, State of New York  
No. 02LO4942206  
Qualified in Kings County  
Commission Expires Sept. 12, 2010